

letter acknowledging adoption of the documents. In addition, the district requests that the student be served in a thirty (30) day interim placement while district staff and parents consider the least restrictive educational environment for the youngster.

- c) The State Schools for Severely Handicapped will issue a letter of interim placement assignment if the information submitted is viewed as substantiating the request.
- d) Enrollment paperwork must be completed at the onset of the thirty (30) day interim placement period.
- e) During the thirty (30) day interim placement, the local district shall follow the referral procedures to seek eligibility determination in accordance with B 1-6 above.
- f) Upon receipt of the Referral, the State Schools for Severely Handicapped will issue a notice of action to the district and parents confirming continued placement in the State School.

If the State Schools for Severely Handicapped is not confirmed as the student's least restrictive educational environment, the local district is notified of this decision and becomes responsible for providing the required special education and related services in accordance with Regulation V, Procedural Safeguards, and Regulation IV.2., Individualized Education Programs.

### **3. MISSOURI SCHOOL FOR THE BLIND AND MISSOURI SCHOOL FOR THE DEAF**

#### **[Guidelines for Referral]**

The Missouri School for the Blind (**MSB**) and Missouri School for the Deaf (**MSD**) are established by state law to serve those students referred to the State Board of Education by local school districts who may require such services to receive a free appropriate public education. **If the evaluation information and the Individualized Education Program (IEP) compiled by the local district supports separate school placement as the student's least restrictive educational environment, the local education agency may seek determination of student eligibility services.** The following procedural information is supplied to assist school districts in accessing services from the Missouri School for the Deaf and Missouri School for the Blind.

#### **[A. Initial Referral Procedures]**

##### **A. Eligibility for MSB and MSD**

- 1. MSB: Students who are Blind or Visually Impaired, for purposes of MSB eligibility, are those students who meet the state eligibility criteria for Visual Impairment. Students, who meet the state eligibility category criteria for State Schools for Severely Handicapped (SSSH), are not eligible for MSB.**
- 2. MSD: Students who are Deaf or Hearing Impaired, for purposes of MSD eligibility, are those students who meet the state eligibility criteria for**

Deaf/Hearing Impaired. Students, who meet the state eligibility criteria for SSSH, are not eligible for MSD.

3. A student may enroll in MSB and MSD upon attaining the age of five (5) years. Extended School Year services shall be provided to students who attain age five (5) years during the summer, if eligible for such services.

## B. Referral Procedures

In order to assure compliance with applicable state and federal laws and regulations governing identification, evaluation, IEP development, and educational placement procedures for students who may be enrolled in either the Missouri School for the Deaf or Missouri School for the Blind program, the following procedures have been adopted by the State Board of Education. The local school district is encouraged to request a professional employee of MSB or MSD to participate in this process. Such requests for participation shall be honored when made during the school term and when schedules permit.

1. All students identified as potentially in need of services from the State Board operated programs shall be enrolled in local school district programming pending the determination of such need. [This includes students under consideration for referral and enrollment in the Missouri School for the Deaf or Missouri School for the Blind.]
2. The local school district in which the student resides shall [obtain] complete a comprehensive and appropriate evaluation information, current within three (3) years. Additional evaluations may be required [More recent evaluations may be requested] as [may be] determined necessary for individual students. The evaluation information must be [compiled] obtained in accordance with [Regulation III.3.,] state regulations (Procedures for Evaluation and Determination of Eligibility).[, and would include all pertinent medical, psychological, and educational evaluations, measures of adaptive behavior, and other such data as may be acceptable.] Additional educational records or other pertinent information may be required by MSB or MSD to clarify the student's educational needs.
3. Following compilation of [the comprehensive] evaluation information, the local school district where the student resides is responsible for [formulation] development of an IEP for the current school term in accordance with the requirements of [Regulation IV.2.,] state regulation provisions for Individualized Education Programs. [The local school district may wish to invite a professional employee of the Missouri School for the Deaf or Missouri School for the Blind program to participate in the local district staffing. Such requests shall be honored when made during the school term and when schedules permit.] The district must consider all service options, including service through a separate school placement, to determine which is appropriate to meet the student's educational needs.
4. If the IEP team is considering separate school as a placement option for the student, they must document the justification for such placement in writing. This documentation must include that the district has:
  - a) considered educating the child in the LEA;
  - b) identified supplementary aids and services that would be needed to educate the child in the LEA; and,

c) articulated why the LEA cannot serve the child in the LEA in a placement that would benefit the child.

- [4] 5. When the IEP indicates the student is in need of services [of a separate school placement,] which the local district is unable to provide and which may be provided by the [Missouri School for the Deaf or Missouri School for the Blind] MSB or MSD, the local school district may forward the evaluation report [and the] current IEP, and justification for separate school placement to MSB or MSD for eligibility review. The preceding IEPs, if applicable, and related educational records and other pertinent information for all services provided by the local district shall also be forwarded. Additional information may be requested on an individual student basis. [to the superintendent of the respective school.] Following a professional review of this information, [and evaluation of the evaluation report and IEP,] the district shall be notified whether or not the student is eligible for [referral to the] services through [Missouri School for the Deaf or Missouri School for the Blind] MSB or MSD. The eligibility determination is not appealable and is a unilateral determination made by [Missouri School for the Deaf or Missouri School for the Blind] MSB or MSD, respectively.
- [5] 6. Should the district be notified that the student is eligible for MSB or MSD the district may refer the student. [If the district is notified that the student is eligible for referral to the Missouri School for the Deaf or Missouri School for the Blind and if the district is unable to otherwise provide special education services and elects not to contract directly with an approved, private agency to provide such services, it may refer the student to the state operated program for educational services, using a Letter of Referral.] Notice of such decision to refer shall be given to the parent in accordance with the law including an explanation of their right to appeal the action [to the local board of education.] through use of their due process hearing rights. The district shall submit the [Letter of] Referral only after the parents have received an explanation of the Procedural Safeguards. If the IEP at time of request does not reflect a total of 1800 minutes of service per week, the district must reconvene the IEP team before submitting the referral so as to ensure an IEP team decision on actual minutes needed to provide FAPE. [has been offered all rights available to them in relation to Regulation V, Procedural Safeguards.]
- [6] 7. Upon receipt of the Referral, enrollment papers will be mailed to the parent by MSB or MSD. [Upon receipt of the Letter of Referral, a Letter of Notification will be mailed to the parent with a copy to the referring school district. The Letter of Notification shall inform the parent of the acceptance by the state school of the student for implementation of the separate school placement and inform them of their rights to appeal the separate school placement decision in accordance with Regulation V, Procedural Safeguards by initiating a due process hearing against the home district. This letter shall also notify the parent that within thirty (30) days of the initial placement, a review of the IEP will be conducted and the parent will be invited and encouraged to participate during that review.]
- [7] 8. Within thirty (30) days following initial enrollment of the student in MSB or MSD, an IEP meeting shall be held. The purpose of this [meeting is for a] review is to confirm the eligibility and appropriateness of [the student's] continued enrollment in [the Missouri School for the Deaf or Missouri School for the Blind] MSB or MSD as the least restrictive environment to provide a free appropriate public education for the student and to make necessary

revisions in the student's IEP. The student's teacher, other appropriate professional personnel from the school, a representative of the referring district, and the student's parents shall be invited to participate in this [IEP] review. The parents shall be informed of their right to appeal, in accordance with the Procedural Safeguards [procedures provided in Regulation V.6. of the Plan], any decision made as a result of this review, including any change in placement decision made as a result of this review. [by initiating a due process hearing against the state school.] If the IEP team meeting results in a determination that the student is ineligible for services at [Missouri School for the Blind] MSB, the home district will be notified and will need to locate another entity to implement the IEP or revise the IEP if appropriate, pursuant to proper IEP process. [meeting procedures.]

When a clear decision cannot be made for eligibility for services through MSB or MSD, the district will be notified that an interim IEP will be required for a trial basis placement. The interim trial basis for placement must be clearly reflected in the IEP.

- [8] In some instances, it may subsequently appear, either at the thirty (30) day review or during subsequent enrollment, based on general functioning level and progress shown, that the student can be better served by the local district although the referral was previously made and accepted. In such instances, the IEP team will be invited to review the IEP, existing data, and the educational record. Such review may serve as the basis for returning the student to his/her local school district for services.]
- 9. IEP teams will be convened annually or more frequently, if needed, to review and/or rewrite, if appropriate, the IEPs for all students enrolled in MSB or MSD.
- [9] An eligible student for the Missouri School for the Deaf or the Missouri School for the Blind may enroll at the beginning of the school term if he/she has attained the age of five (5) years on or before September 30 of that year. If the student attains the age of five (5) years after September 30 of that year, he/she may be enrolled on his/her birthday.
- 10) A student may be enrolled in the Missouri School for the Deaf or the Missouri School for the Blind until the close of the school term during which his/her 21st birthday occurs.]
- 10. At any time the IEP team may determine, based on general functioning level and progress shown, that the student's least restrictive environment for educational placement is the local district. In such instances, the IEP team reviews the IEP, existing data, and education record to determine the plan through which the student will be transitioned to the local school district for services.

### C. Reevaluation

- 1) At least once every three (3) years, the local district shall conduct a reevaluation. Reevaluation shall be conducted in accordance with the provision of the evaluation regulations.
- 2) Results of the reevaluation shall be submitted to MSB and MSD for review. Additional data may be requested by MSB or MSD to clarify the student's educational needs.

### D.[B.]Subsequent Referral Procedures

The following procedures have been adopted by the State Board of Education for annual enrollment.